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Attorneys for Plaintiff Blendtec Inc.

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

BLENDTEC INC., a Utah corporation,

Plaintiff,

vs.

BLENDJET INC., a Delaware corporation,

Defendant.

**STIPULATED MOTION TO
SUSPEND CASE DEADLINES
PENDING RESOLUTION OF
MOTION TO ENFORCE THE
PROTECTIVE ORDER AND TO
DISQUALIFY**

Civil No. 2:21-cv-00668-TC-DBP

Judge Tena Campbell

Magistrate Judge Dustin B. Pead

Pursuant to Fed. R. Civ. P. 16(b)(4) and for good cause, Plaintiff Blendtec Inc. (“Blendtec”) and defendant Blendjet, Inc. (“Blendjet”), through counsel, hereby stipulate and jointly move the Court to stay all deadlines in the Scheduling Order pending resolution of Blendtec’s Motion to Enforce the Protective Order and to Disqualify Counsel (ECF No. 110). In support of this motion, the parties state as follows:

1. The close of fact discovery is set for June 29, 2023. ECF No. 90 (“Scheduling Order”) at 1.

2. On May 2, 2023, Blendtec filed a motion to enforce the standard protective order and to disqualify counsel. *See* ECF No. 110 (the “Motion”) (Sealed).

3. On May 16, 2023, Blendjet filed its opposition to the Motion. *See* ECF No. 124.

4. On May 30, 2023, Blendtec filed its reply to the Opposition. *See* ECF No. 142.

5. The Court stayed “Blendtec’s obligation to produce additional AEO documents until resolution of the Motion.” ECF No. 115. The Court also ordered “Mr. McGill not use or access Blendtec’s information designated as AEO until resolution of the Motion.” *Id.*

6. Pendency of the Motion, therefore, has an impact on the parties’ ability to timely complete the remaining fact discovery in this case and comply with the other deadlines set forth in the Scheduling Order.

7. In view of the foregoing, the parties hereby stipulate and jointly move the Court to stay all remaining case deadlines in the Scheduling Order until resolution of Blendtec’s Motion. To timely facilitate the entry of an amended case schedule, the parties further stipulate to the following:

- Within ten (10) calendar days of the Court’s Order on the Motion: The parties will meet and confer on an amended scheduling order.
- Within fifteen (15) calendar days of the Court’s Order on the Motion: The parties will jointly submit a Proposed Fourth Amended Scheduling Order that will set the close of fact discovery approximately ninety (90) days from the Court’s Order on the Motion, and will set other deadlines proportionally therefrom; and

- The parties will continue to work in good faith to comply with existing discovery obligations in accordance with the Court's orders and the Federal Rules during the pendency of the Motion.

The parties have submitted herewith a proposed order granting the requested relief.

Respectfully submitted this 2nd day of June, 2023.

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CERTIFICATE OF SERVICE

I hereby certify that on June 2nd, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which will send an electronic notification to counsel of record for all parties, including the following:

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